

Remarks

The above amendments and these remarks are responsive to the Office action dated April 10, 2006. Prior to entry of this response, claims 1-23 were pending in the application. In the Office action, claims 1-4, 6-11, 13-14, 16-18, and 20-23 are rejected under 35 USC 102(e) as being anticipated by McKay et al. (US Appl. Pub. No. 2003/0131820); and claims 5, 12, 15, and 19 are indicated to be allowable if rewritten in independent form. In view of the remarks below, Applicants respectfully request reconsideration of the application and allowance of the pending claims.

Rejections under 35 USC § 102

Applicants respectfully traverse the 35 USC 102(e) rejections set forth in the April 10, 2006 Official action. However, independent claims 8 and 20 are hereby amended to recite valve control that is based, at least in part, on a modal frequency of a vehicle chassis or a vehicle mechanical component. Applicants have reviewed McKay et al. and can find no disclosure of any adjustment of the valves based on a modal frequency of a vehicle chassis and/or a vehicle mechanical component. As such, Applicants respectfully request the rejection of claims 8 and 20 be withdrawn. Further, claims 1 and 13 are amended to incorporate subject matter of claims 5 and 19, respectively, and claims 5 and 19 are cancelled. Finally, claim 23 has been amended to include subject matter similar to that of the above allowed claims.

Page 7 - AMENDMENT

Serial No. 10/805,615; Record ID 81100250

Conclusion

Applicants thank the Examiner for carefully considering the subject application.

Based on the foregoing comments, the above-identified application is believed to be in condition for allowance, and such allowance is courteously solicited. If any further amendment is necessary to advance prosecution and place this case in allowable condition, the Examiner is respectfully requested to contact the undersigned by fax or telephone at the number listed below.

Please charge any cost incurred in the filing of this Amendment, along with any other costs, to Deposit Account No.06-1510. If there are insufficient funds in this account, please charge the fees to Deposit Account No. 06-1505. A duplicate copy of this sheet is enclosed.

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent via facsimile to the U.S. Patent and Trademark Office at (571) 273-8300 on July 10, 2006.

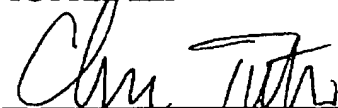


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Respectfully submitted,

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